



PTO/SB/21 (04-04)

DW 3624

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/021,292 ✓
Filing Date	October 29, 2001
First Named Inventor	Milberger, Susan M.
Art Unit	3624
Examiner Name	Colbert Ella
Attorney Docket Number	020375-000240US

Total Number of Pages in This Submission

10

ENCLOSURES (Check all that apply)

- | | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application

<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund

<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Return Postcard
Cited References: (7-Foreign Documents)
Copy of Transmittal Form and Supplemental Information Disclosure Statement dated March 22, 2002
Copy of Return Postcard stamped received on March 26, 2002 by OIPE |
|--|---|--|

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Townsend and Townsend and Crew LLP Thomas D. Franklin	Reg. No. 43,616
Signature		
Date	September 22, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Cindy Bennett

Signature

Date

September 22, 2004

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PATENT
Attorney Docket No.: 020375-000240US

SEP 24 2004
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On September 22, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: 

Cindy Bennett

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Milberger et al.

Application No.: 10/021,292

Filed: October 29, 2001

For: SUBSCRIPTION-BASED PAYMENT

Confirmation No. 9347

Examiner: Colbert, Ella

Art Unit: 3624

**SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER
37 CFR §1.97 and §1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

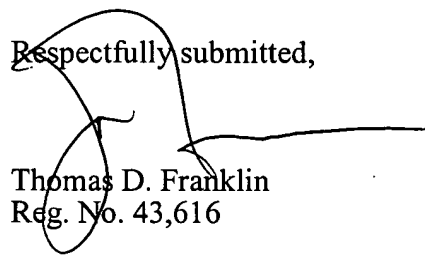
The Office Action dated September 9, 2004 indicates the references enclosed with this Supplemental Information Disclosure Statement are missing from the Applicant's file and have been requested by the Examiner that the Applicant resubmit these references for consideration in order to give the application a proper examination. The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant's believe no fee is due as this Information Disclosure Statement was previously submitted on March 22, 2002 and stamped as being received by the OIPE on March 26, 2002, both of which copies are enclosed herewith. The Transmittal Form and the return postcard confirms the references were previously provided, but must have been lost the Office. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account No. 20-1430.

Respectfully submitted,


Thomas D. Franklin
Reg. No. 43,616

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 303-571-4321
TDF:cmb



Substitute for form PTO/SB/08A INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/021,292	
			Filing Date	October 29, 2001	
			First Named Inventor	Milberger, Susan M.	
			Art Unit	3624	
			Examiner Name	Colbert, Ella	
Sheet	1	of	1	Attorney Docket Number	020375-000240US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-			
	AB	US-			
	AC	US-			
	AD	US-			
	AE	US-			
	AF	US-			
	AG	US-			
	AH	US-			
	AI	US-			
	AJ	US-			
	AK	US-			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AL	EP	0 949 596					<input type="checkbox"/>
	AM	EP	1 077 436					<input type="checkbox"/>
	AN	PCT	WO 00/22559					<input type="checkbox"/>
	AO	PCT	WO 00/54122					<input type="checkbox"/>
	AP	PCT	WO 00/67177					<input type="checkbox"/>
	AQ	PCT	WO 00/79452					<input type="checkbox"/>
	AR	PCT	WO 01/04816					<input type="checkbox"/>
	AS							<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AT		
	AU		
	AV		
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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.



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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/021,292	
	Filing Date	October 29, 2001	
	First Named Inventor	Milberger, et al.	
	Group Art Unit	2167	
	Examiner Name		
Total Number of Pages in This Submission	5	Attorney Docket Number	020375-000240US

COPY

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard Cited References: (12-US Patents; 7-Foreign; 1-Other Documents) <i>6 - co-pending applications</i>
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

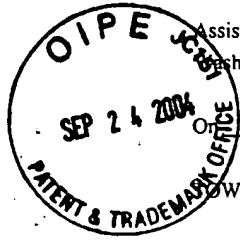
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm and Individual name	Townsend and Townsend and Crew LLP Thomas D. Franklin Reg. No. 43,616
Signature	
Date	March 22, 2002

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: March 22, 2002	
Typed or printed name	Cindy Bennett
Signature	
Date	March 22, 2002

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DE 7065907 v1

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PATENT
Attorney Docket No.: 020375-000240US



Assistant Commissioner for Patents
Washington, D.C. 20231

March 22, 2002

TOWNSEND and TOWNSEND and CREW LLP

By:

Cindy Bennett

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Susan M. Milberger, et al.

Application No.: 10/021,292

Filed: October 29, 2001

For: SUBSCRIPTION-BASED
PAYMENT

Examiner:

Art Unit: 2167

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicants also wish to make the Examiner aware of the following co-pending application:

1. Application No. 09/476,384 filed December 30, 1999, Attorney Docket No. 020375-000700US.
2. Application No. 10/045,633 filed October 26, 2001, Attorney Docket No. 020375-000210US.
3. Application No. 10/046,654 filed October 26, 2001, Attorney Docket No. 020375-000220US.

COPY

PATENT

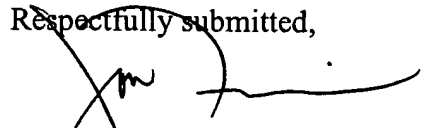
4. Application No. 10/045,632 filed October 26, 2001, Attorney Docket No. 020375-000230US.
5. Application No. 10/010,068 filed December 6, 2001, Attorney Docket No. 020375-000610US.
6. Application No. 10/076,036, filed February 13, 2002, Attorney Docket No. 020375-002100US.

To comply with 37 CFR §1.98(a)(2)(iii), enclosed is the specification, claims and drawings for the above case.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


Thomas D. Franklin
Reg. No. 43,616

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Fax: 303-571-4321
TDF:cmb

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PTO/SB/08B (08-00)

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

SEP 24 2004

(use as many sheets as necessary)

Sheet

1

of

2

Complete if Known

Application Number	10/021,292
Filing Date	October 29, 2001
First Named Inventor	Milberger, Susan M.
Group Art Unit	2167
Examiner Name	
Attorney Docket Number	020375-000240US

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	5,220,501		Lawlor, et al.	06-15-1993	
	AB	5,555,496		Tackbary, et al.	09-10-1996	
	AC	5,699,528		Hogan	12-16-1997	
	AD	5,757,917		Rose, et al.	05-26-1998	
	AE	5,826,241		Stein, et al.	10-20-1998	
	AF	5,960,412		Tackbary, et al.	09-28-1999	
	AG	6,029,150		Kravitz	02-22-2000	
	AH	6,032,133		Hilt, et al.	02-29-2000	
	AI	6,070,798		Nethery	06-06-2000	
	AJ	6,098,053		Slater	08-01-2000	
	AK	6,119,106		Mersky, et al.	09-12-2000	
	AL	6,246,996	B1	Stein, et al.	06-12-2001	
	AM					
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FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	AU	EP	0 949 596	A2	Citibank, N.A.	10-13-1999		
	AV	EP	1 077 436	A2	Citicorp Development Center, Inc.	02-21-2001		
	AW	PCT	WO 00/22559	A1	Citibank, N.A.	04-20-2000		
	AX	PCT	WO 00/54122	A2	Ancestry.com, Inc.	09-14-2000		
	AY	PCT	WO 00/67177	A2	X.com Corp.	11-09-2000		
	AZ	PCT	WO 00/79452	A2	Echarge Corp.	12-28-2000		
	BA	PCT	WO 01/04816	A1	Citicorp Credit Services, Inc.	01-18-2001		

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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DE 7065903 v1

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PTO/SB/08B (08-00)

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) 2 of 2		Complete if Known Application Number: 10/021,292 Filing Date: October 29, 2001 First Named Inventor: Milberger, Susan M. Group Art Unit: 2167 Examiner Name: Attorney Docket Number: 020375-000240US	
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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	BC		
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	BK		
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Examiner Signature		Date Considered	
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Initials: TDF/cmb

Date: March 22, 2002

PTO Stamp indicates receipt of: ☒ Patent Matter

Application Docket No.: 020375-000240US

Applicant: Milberger, et al

Title or Mark: Subscription-Based Payment

Serial/Reg. No.: 10/021,292

Filed/Issued Date: October 29, 2001

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LIST ALL DOCUMENTS BEING SENT TO PATENT OFFICE:

1. Transmittal Form (1 page);
2. Supplemental Information Disclosure Statement (2 pages);
3. PTO Form 1449 (2 pages); and
4. Cited References (12-US Patents; 7-Foreign; 1-Other Documents; 6-Co-Pending Applications).

COPY

Initials: TDF/cmb

Date: March 22, 2002

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Filed/Issued Date: October 29, 2001

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